

GORDON SILVER
MARK S. DZARNOSKI
Nevada Bar No. 3398
Email: mdzarnoski@gordonsilver.com
500 N. Rainbow Blvd., Suite 120
Las Vegas, NV 89107
Tel: (702) 796-5555
Fax: (702) 369-2666
Attorneys for Plaintiff HPEV, Inc. and
Third-Party Defendants Timothy J. Hassett,
Quentin D. Ponder, Judson W. Bibb III,
Theodore H. Banzhaf, and Mark M. Hodowanec

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

HPEV, INC., a Nevada corporation,

Plaintiff,

vs.

SPIRIT BEAR LIMITED, a Delaware
corporation,

Defendants.

SPIRIT BEAR LIMITED, a Delaware
corporation, on behalf of HPEV, INC. a
Nevada corporation,

Third-Party Plaintiff,

vs.

TIMOTHY J. HASSETT, QUENTIN D.
PONDER, JUDSON W. BIBB III,
THEODORE H. BANZHAF, AND MARK M.
HODOWANEC,

Third-Party Defendants.

and HPEV, INC., a Nevada corporation,

CASE NO. 2:13-cv-01548-JAD-GWF

STIPULATION AND ORDER
RE: SUPPLEMENTAL FAIRNESS
HEARING BRIEFING SCHEDULE

Nominal Counterdefendant.

Pursuant to LR 6-1, Plaintiff, Defendants and Proposed Intervenor jointly stipulate to continue the briefing schedule relating to the Supplemental Briefs re: Fairness Hearing as follows:

Party	Current Deadline	Stipulated Deadline
Opening Brief HPEV and related parties	December 17, 2015	December 24, 2015
Response Brief by Peak Finance	January 15, 2016	January 22, 2016
Reply Brief by HPEV and related parties	February 1, 2016	February 8, 2016

In support thereof, the Court is advised as follows:

1. When setting the current deadlines, counsel for HPEV informed the Court and other parties at the Fairness Hearing on November 20, 2015 that he had a pre-paid vacation scheduled to start on December 18, 2015 and would be able to file the Supplemental Brief before leaving thereon.

2. Significant medical matters involving HPEV's counsel's family have arisen between the date of the Fairness Hearing and today's date.

3. The medical matters have caused HPEV's counsel to cancel the pre-paid vacation to attend to said matters.

4. HPEV's counsel represents that attending to these medical matters has also delayed him in accumulating the documents requested by the Court and completing the Supplemental Brief by December 17, 2015.

5. HPEV's counsel represents that a one week extension will be sufficient to complete the Supplemental Brief and file supporting documents requested by the Court.

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The requested extension is sought in the interest of justice and not for the purpose of delay. None of the parties will be prejudiced by the requested extension.

IT IS SO STIPULATED.

GORDON SILVER

/s/ Mark S. Dzarnoski

MARK S. DZARNOSKI

Nevada Bar No. 3398

500 N. Rainbow Blvd., Suite 120

Las Vegas, Nevada 89107

Tel: (702) 796-5555

Attorneys for Defendants

Timothy J. Hassett, Quentin D. Ponder,

Judson W. Bibb III, Theodore H. Banzhaf,

Mark M. Hodowanec, and Nominal

Defendant

HPEV, Inc.

MARQUIS AURBACH COFFING

/s/ Vincent J. Vitatoe

VINCENT J. VITATOE

Nevada Bar. No. 12888

10001 Park Run Drive

Las Vegas, NV 89145

Attorneys for Spirit Bear Limited

FARUQI & FARUQI, LLP

/s/ Stuart J. Guber

STUART J. GUBER

369 Lexington Avenue, 10th Floor

New York, NY 10017

Attorneys for Peak Finance, LLC

ORDER

Based upon the stipulation of counsel and good cause appearing, it is hereby Ordered that the schedule for supplemental briefing regarding the Fairness Hearing is modified as follows:

Party	Current Deadline	Stipulated Deadline
Opening Brief HPEV and related parties	December 17, 2015	December 24, 2015
Response Brief by Peak Finance	January 15, 2016	January 22, 2016
Reply Brief by HPEV and related parties	February 1, 2016	February 8, 2016


UNITED STATES DISTRICT COURT JUDGE

Dated: December 17, 2015